

**AMENDMENTS TO THE CLAIMS:**

Claims 1-2 (Canceled) Claims 1 and 2 were previously canceled.

3. (Previously Presented) A semiconductor apparatus, comprising:
- a substrate having a transistor formed thereon;
  - a plurality of first capacitor electrodes secured to said substrate and;
  - a plurality of second electrodes secured to said substrate and electrically separated from said first electrodes; and
  - an insulating film formed so as to cover said first electrodes and which is between the first electrodes and second electrodes,
  - wherein the first and second electrodes have a common bottom level and the plurality of second electrodes each have a top surface which is above a top surface of the first electrodes;
  - wherein a distance between a top surface of said substrate and said top surface of the second electrodes is larger than a distance between the top surface of said substrate and the top surface of said insulating film.

Claims 4-20. (Canceled) Claims 4-20 were previously canceled.

Please add the following new claims:

21. (Newly Added) A semiconductor apparatus, comprising:
- a plurality of first capacitor electrodes secured to a substrate and;
  - a plurality of discharge electrodes secured to said substrate and electrically separated from said first electrodes and extending above a primary level of an insulating layer formed above said first capacitor electrodes.
22. (Newly Added) A semiconductor apparatus, comprising:
- a plurality of first capacitor electrodes secured to a substrate and;
  - a plurality of discharge electrodes secured to said substrate and electrically separated from said first electrodes and extending above a primary level of an insulating layer formed above said first capacitor electrodes, and further wherein the discharge electrodes have insulation on a top surface thereof that is at a level higher than the primary level of the insulating layer formed above the capacitor electrodes.